

Remarks

The undersigned counsel for Applicant respectfully acknowledges and thanks Examiner Davis for the courtesy of a telephone interview on or about October 11, 2004, at which time the amendments set forth in the present amendment were discussed and provisionally approved.

The Notice of Allowability dated August 4, 2004 states that Claims 1-15 and 17-25 are allowed, and will be appropriately renumbered in the issued patent.

This amendment seeks to amend Claim 1 in a way that (a) narrows this claim and (b) conforms its breadth to be consistent with the election of species made by Applicant in her prior response dated June 10, 2004.

On page 2 of said Response dated June 10, 2004, in the second paragraph beginning “As required Applicant hereby elects,” Applicant elected Species 1 for “substantially hard” as recited in Claim 2. Claim 2 recited “The teething pacifier according to Claim 1 wherein each of said first and second teething materials are substantially hard.”

By the present amendment applicant has merely amended Claims 1 to include the limitations of Claim 2, and has cancelled Claim 2. Also, Claim 3 is cancelled to be consistent with the scope of Claim 1 as now amended.

Thus, Claim 1, as now amended, includes the final paragraph limitation: “...said handle comprising a first teething material that is substantially hard and a second

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teething material having a hardness substantially similar to that of said first teething material..."

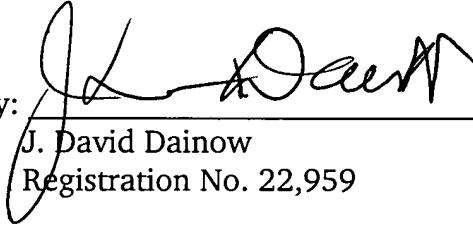
It is further noted that drawing corrections are required. Substitute formal drawings which overcome the objections raised have been prepared and are attached hereto in Appendix B.

It is believed that all requirements for Allowance are now met. By a separate document the issue fee is being paid.

Respectfully submitted

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Appendix A

Listing of Claims with Current Amendments Indicated:

1. (amended) A teething pacifier comprising:
 - a pacifier guard having at least a first side and a second side opposite said first side;
 - a nipple extending outwardly from said first side of said pacifier guard;
 - a handle associated with said second side of said pacifier guard, said handle including at least one proximal portion positioned proximate said pacifier guard and a distal portion positionable away from said pacifier guard;
 - said handle [including] comprising a first teething material [of a first hardness] that is substantially hard and a second teething material having a hardness substantially similar to that of said first hardness of said first teething material, said second teething material molded over said first teething material to create a varied teething surface on said handle for infant teething thereon.
2. (cancel) The teething pacifier according to Claim 1 wherein each of said first and second teething materials are substantially hard.
3. (cancel) The teething pacifier according to Claim 1 wherein each of said first and second teething materials are substantially soft.
4. (original) The teething pacifier according to Claim 1 wherein said second teething material is integrally bonded to said first teething material.

5. (original) The teething pacifier according to Claim 1 wherein said first teething material of said handle further includes at least one recess into which said second teething material is molded.

6. (original) The teething pacifier according to Claim 5 wherein at least a portion of said second teething material extends above the surface of said first teething material.

7. (original) The teething pacifier according to Claim 5 wherein at least a longitudinal portion of said handle further includes a continuous circumference, and wherein said at least one recess extends around the substantial entirety of the handle circumference such that said second teething material extends around the substantial entirety of the circumference of said handle at one or more locations on said handle.

8. (original) The teething pacifier according to Claim 1 wherein said first teething material further includes at least one overmold enhancing surface to facilitate securing said second teething material to said handle.

9. (original) The teething pacifier according to Claim 8 wherein said overmold enhancing surface comprises a keyway for anchoring said second teething material to said handle.

10. (original) The teething pacifier according to Claim 9 wherein said keyway extends around the substantial entirety of said handle.

11. (original) The teething pacifier according to Claim 8 wherein said overmold enhancing surface comprises at least one flat face extending at least partially around said handle.

12. (original) The teething pacifier according to Claim 8 wherein said overmold enhancing surface comprises at least one recess into which said second teething material is molded.

13. (original) The teething pacifier according to Claim 1 wherein said second teething material is molded over said first teething material in at least two distinct regions on said handle to expose at least one region of first teething material.

14. (original) The teething pacifier according to Claim 13 wherein said handle includes alternating regions of first teething material and second teething material.

15. (original) The teething pacifier according to Claim 13 wherein at least two of said regions of second teething material are at least partially connected by at least one region of second teething material.

17. (original) The teething pacifier according to Claim 1 wherein at least a longitudinal portion of said handle further includes a continuous circumference, and wherein said second teething material extends around the substantial entirety of the continuous circumference of said handle at one or more locations on said handle.

18. (original) The teething pacifier according to Claim 1 wherein said second teething material comprises a plurality of bands spaced apart from one another to expose at least one region of first teething material.

19. (original) The teething pacifier according to Claim 18 wherein said plurality of bands of second teething material each include a width, and wherein the width of at least one of said bands is greater than the width of at least one other band to direct infant teething to a desired location on said handle.

20. (original) The teething pacifier according to Claim 1 wherein said second teething material further includes a textured teething surface.

21. (original) A method of forming a teething pacifier having a pacifier guard, a nipple extending outwardly from one side of the pacifier guard, and a handle associated with another side of the pacifier guard, said method comprising the steps of:

forming at least a portion of said handle from a first teething material having a first hardness,

molding a second teething material having a hardness substantially similar to that of said first hardness of said first teething material over at least a portion of said first teething material to create a varied teething surface on said handle for infant teething thereon.

22. (original) The method according to Claim 21 wherein the step of molding the second teething material over at least a portion of the first teething material includes the integral bonding of said and teething material to said first teething material.

23. (original) The method according to Claim 21 wherein at least a longitudinal portion of said handle further includes a continuous circumference, and wherein the step of molding the second teething material over at least a portion of the

first teething material includes molding the second teething material around the substantial entirety of the handle at one or more locations on said handle.

24. (original) The method according to Claim 21 wherein the step of forming at least a portion of said handle from the first teething material further includes the step of forming at least one keyway in said first teething material, and further includes molding said second teething material into said at least one keyway to facilitate securing of said second teething material relative to said first teething material.

25. (original) The method according to Claim 21 wherein the step of forming at least a portion of said handle from the first teething material further includes the step of forming at least one flat face extending at least partially around said handle, and molding said second teething material onto said at least one flat face to facilitate securing of said second teething material relative to said first teething material.

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Amendments to the Drawings:

The attached four sheets of drawings, see Appendix B, include corrections required in Form PTO-948 as regards character of lines, numbers and letters. The replacement drawings are substantially the same as the originally filed drawings except for the corrected character of lines, numbers and letters.

Appendix A:

Replacement Sheets 1-4
Sheets 1-4 showing the original drawings

Appendix B:

Claims showing current amendments

Appendix B